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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 BENJAMIN ADAMS, No. 2:04-cv-2474-MCE-GGH-P
12 Plaintiff,
13 v. ORDER
14 TERESA SCHWARTZ, et al.,
15 Defendant.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, has filed
18 this civil rights action seeking relief under 42 U.S.C. § 1983.
19 The matter was referred to a United States Magistrate Judge
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.
21 262.

22 On January 31, 2006, the magistrate judge filed Findings and
23 Recommendations herein which were served on all parties and which
24 contained notice to all parties that any Objections to the
25 Findings and Recommendations were to be filed within twenty (20)
26 days.


1 Neither party has filed Objections to the Findings and
2 Recommendations.

3 The Court has reviewed the file and finds the Findings and
4 Recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The Findings and Recommendations filed January 31, 2006
8 are adopted in full; and

9 2. Defendant's June 2, 2005 Motion to Dismiss is denied, to
10 the extent that Defendant seeks dismissal with prejudice.

11 DATED: March 16, 2006

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15 MORRISON C. ENGLAND, JR.
16 UNITED STATES DISTRICT JUDGE
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